

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

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)

v.

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Case no. 1:14-CR-306-GBL - 8

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MANUEL E. PAIZ GUEVARA

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**DEFENDANT’S REBUTTAL TO THE GOVERNMENT’S RESPONSE  
IN OPPOSITION TO MOTION FOR DESIGNATION OF AGENCIES**

The United States responds to Defendant’s Request for Designation of Agencies: “[T]he defendant cites no statutes or case law in support of his demand for [the list of agencies].” Government’s Response at 1. The Government then cites *United States v. Beckford*, 964 F. Supp. 1010 (E.D. Va.) in support of its position. Had the Government read the entire case it cites, *United States v. Beckford*, 964 F. Supp. E.D. Va. 1997), it would have realized that it had at hand the very case law it complains the defendant did not provide. In his framing of the subpoena issue at hand, Judge Payne noted the agencies which were part of the Task Force. See *id.* at 1013.

As the Court has recently been informed, the Task Force is comprised of members of the Richmond Police Department, the Virginia State Police and the Federal Bureau of Investigation. ... At the outset, then, in determining the applicability of the Jencks Act and the Brady doctrine, it is necessary for the court to determine what agencies comprise the “Government.” *Until required to do so recently*, however, the Government has not identified specifically what agencies it considers to be included within the scope of its obligations respecting production of Jencks, *Giglio* and *Brady* material....

Id. at 1013-14. (emphasis added).

Thus, the Court, in *Beckford*, required the Government to do precisely that which this defendant requests this court to do, to enable it to determine the propriety of subpoenas duces tecum and the scope of the Government’s obligations under Jencks, *Brady*, and *Kyles v. Whitley*.

Defendant’s Motion for Designation of Law Enforcement Agencies should be, in all things, granted.

Respectfully submitted,

**MANUAL ERNESTO PAIZ GUEVARA**

By: \_\_\_\_\_(s)\_\_\_\_\_

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## **CERTIFICATE OF SERVICE**

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 8, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will then send electronic notification of such filing (NEF) to all counsel on the case.

\_\_\_\_\_/S/\_\_\_\_

David P. Baugh, Esq.

Attorney for Defendant

Manuel E. Paiz Guevara